



DEPARTMENT OF THE ARMY

MOBILE DISTRICT, CORPS OF ENGINEERS

P.O. BOX 2288

MOBILE, ALABAMA 36628-0001

REPLY TO
ATTENTION OF:

CESAM-OP-S
PUBLIC NOTICE NO. AL00-01517-H

2 June 2000

JOINT PUBLIC NOTICE
U.S. ARMY CORPS OF ENGINEERS
AND
STATE OF ALABAMA
DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

PROPOSED FILLING OF WETLANDS IN CONJUNCTION WITH THE CONSTRUCTION
OF A RETAIL FACILITY, CULLMAN, CULLMAN COUNTY, ALABAMA

TO WHOM IT MAY CONCERN:

This District has received an application for a Department of the Army permit pursuant to Section 10 of the River and Harbor Act of 1899 (33 USC 403), and Section 404 of the Clean Water Act (33 USC 1344). Please communicate this information to interested parties.

APPLICANT: Wal-Mart Stores, Inc.
Attention: Mr. Joseph Q. Loethen
2001 Southeast 10th Street
Bentonville, Arkansas 72712-6489

WATERWAY: No Waterway, Section 13, Township 8 South, Range 7 West,
Cullman, Alabama.

WORK: The applicant proposes to fill approximately 1.07 acres of wetlands and 2.51 acres of other waters (a farm pond), in conjunction with the construction of a Wal-Mart store. The site is located east of, and adjacent to Cherokee Avenue across the road from Woodland Hospital. The project site would be cleared, as needed and graded to the desired elevation. A total of approximately 51,100 cubic yards of earthen fill material would be brought to the project site. Also approximately 2,835 cubic yards of aggregate base (stone), 520 cubic yards of asphalt and 1,400 cubic yards of concrete will be needed to construct this project. As mitigation for the unavoidable loss of the 1.07 acres of wetlands, the applicant proposes to utilize Ducks Unlimited to provide in-lieu-fee mitigation for the proposed project. The purpose of the proposed work is to develop retail facilities that consist of a Wal-Mart Supercenter and two additional retail stores. All work will be in accordance with the enclosed plans provided by the applicant.

The applicant has applied for certification from the State of Alabama in accordance with Section 401(a)(1) of the Clean Water

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Act, and upon completion of the required advertising, a determination relative to certification will be made.

This public notice is being distributed to all known interested persons in order to assist in developing facts on which a decision by the U.S. Army Corps of Engineers (Corps) can be based. For accuracy and completeness of the record, all data in support of or in opposition to the proposed work should be submitted in writing setting forth sufficient detail to furnish a clear understanding of the reasons for support or opposition. The decision whether to issue a permit will be based on an evaluation of the probable impact, including cumulative impacts, of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered, including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, flood plain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food production, and in general, the needs and welfare of the people.

The Corps is soliciting comments from the public; Federal, State, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state with particularity, the reasons for holding a public hearing.

Evaluation of the probable impacts involving deposits of dredged or fill material into waters of the United States will include the

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application of guidelines established by the Administrator of the U.S. Environmental Protection Agency.

The National Register of Historic Places has been consulted and no properties listed in or eligible for the National Register are known to exist which would be affected by the proposed work. This review constitutes the full extent of cultural resources investigations unless comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the U.S. Department of the Interior, National Park Service, Division of Archeological Services.

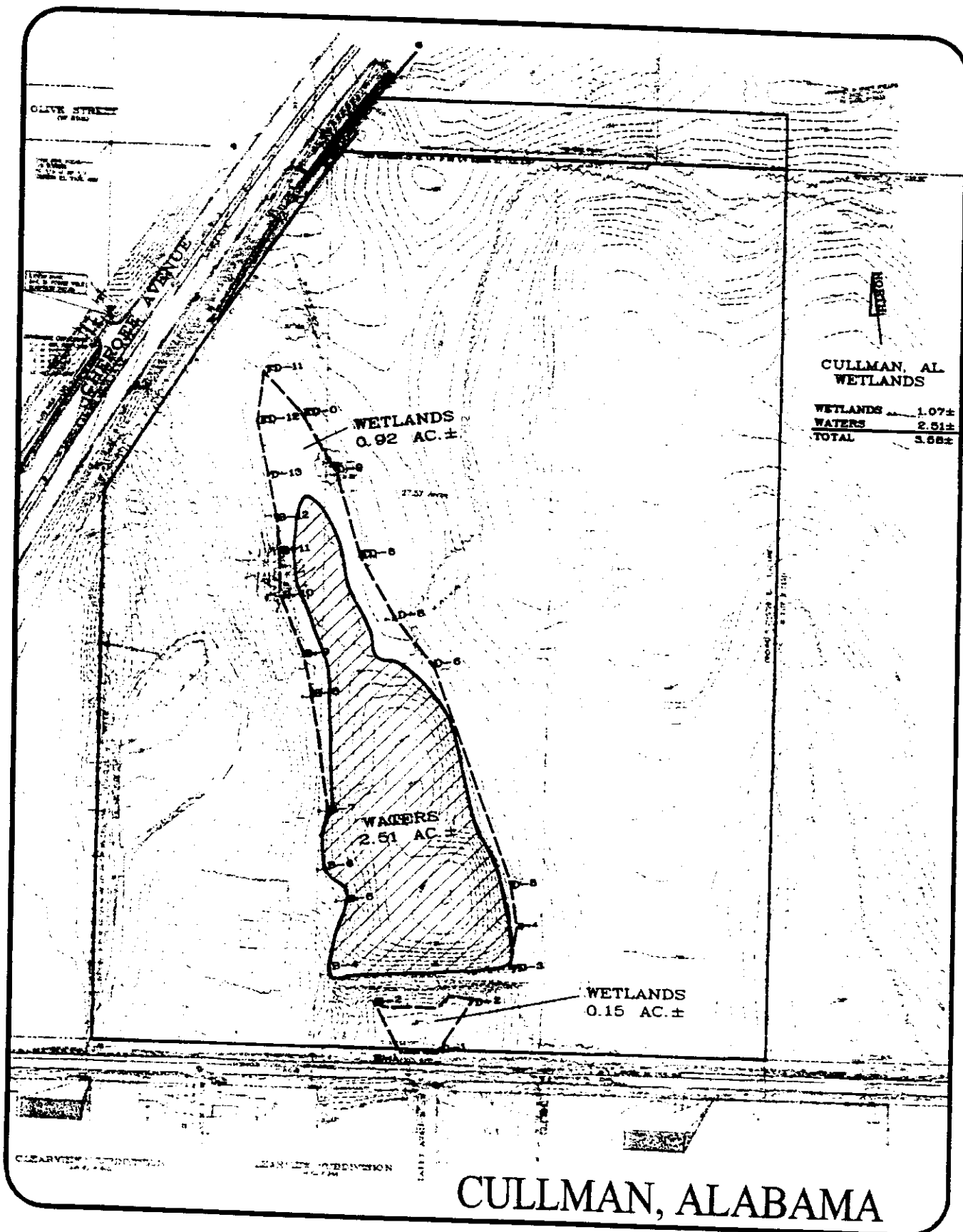
Preliminary review of this application and the U.S. Department of the Interior List of Endangered and Threatened Wildlife and Plants indicates that the proposed activity will not affect listed endangered or threatened species, or their critical habitat.

Correspondence concerning this Public Notice should refer to Public Notice Number **AL00-01517-H** and should be directed to the District Engineer, U.S. Army Engineer District, Mobile, Post Office Box 2288, Mobile, Alabama 36628-0001, Attention: Regulatory Branch, with a copy to the Alabama Department of Environmental Management, Post Office Box 301463, Montgomery, Alabama 36130-1463) in time to be received prior to 3 July 2000.

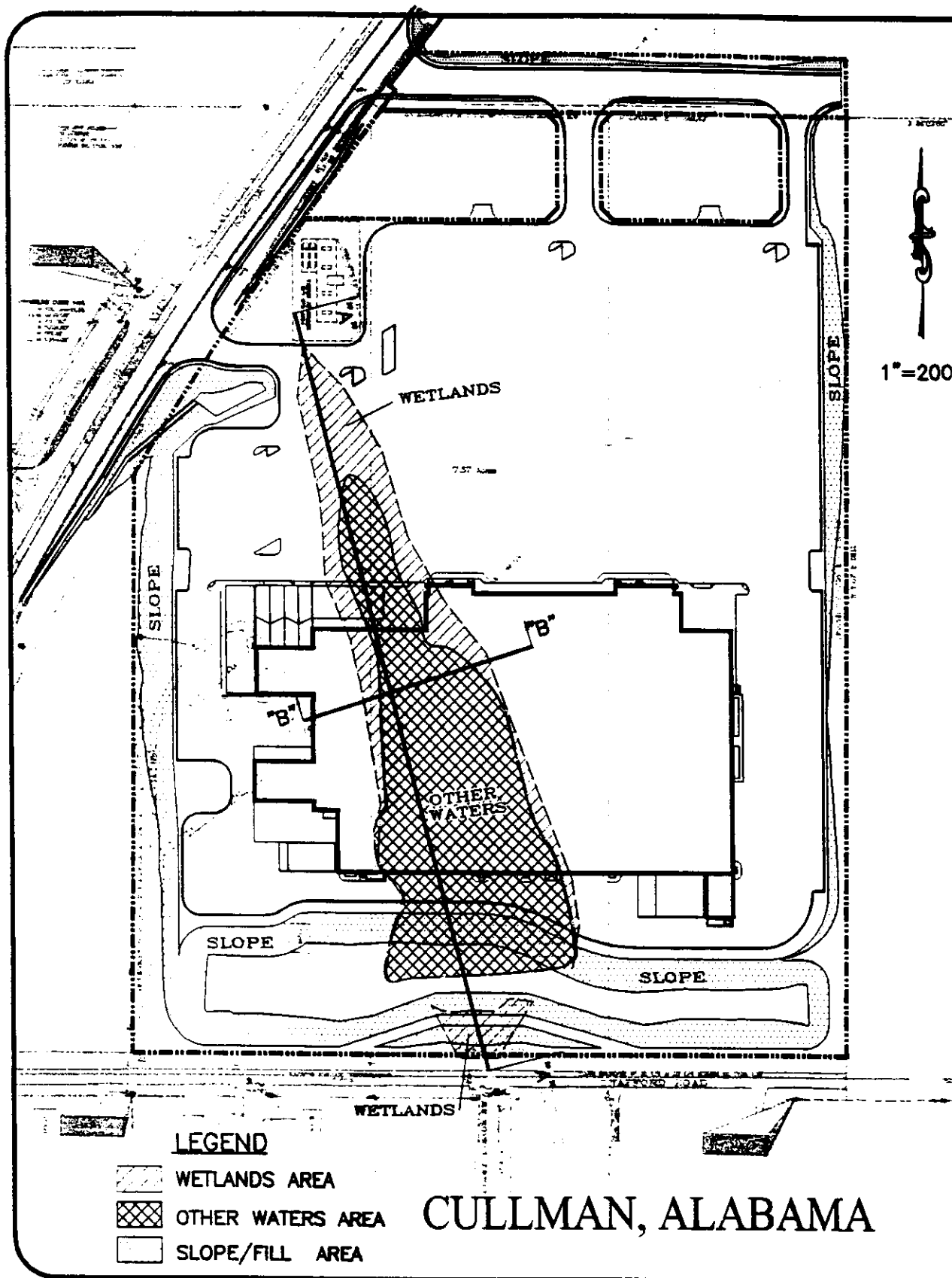
If you have any questions concerning this publication, you may contact this office, **Munther N. Sahawneh**, telephone number (334) 694-3782. Please refer to the above Public Notice number.

MOBILE DISTRICT
U.S. Army Corps of Engineers

Enclosures



AL00-01517-H



AL00-01517-H



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